

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

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JOHN BENSON,  
Plaintiff,

v.

Civil Action No. 05-11112-RWZ

MARRIOTT INTERNATIONAL, INC.,  
Defendant.

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**JOINT MOTION TO MODIFY SCHEDULING ORDER**

Plaintiff John Benson ("Plaintiff") and Defendant Marriott International, Inc. ("Defendant") respectfully request that the Court modify its July 28, 2005 Scheduling Order by extending all dates by 60 days. In support of their motion, the parties state as follows:

1. The Scheduling Order provides for discovery to be completed by January 30, 2006. A Further Scheduling Conference is set for February 9, 2006.
2. The parties have been pursuing discovery diligently. Defendant has provided responses to Plaintiff's written discovery requests. Plaintiff is in the process of completing responses to Defendant's written discovery requests. However, trial engagements and scheduling difficulties of both counsel have make it unlikely that the parties will complete discovery by January 30, 2006, as the current Scheduling Order requires.
3. The parties expect to schedule and complete several depositions during February and March 2006.

4. The parties believe that they can complete discovery by March 30, 2006. That would require an extension of all deadlines by 60 days.

5. The parties also respectfully request that the Further Scheduling Conference set for February 9, 2006 be rescheduled to April 10, 2006 or a date thereafter.

WHEREFORE, the parties respectfully request that the Court extend the deadlines under the current Scheduling Order by 60 days.

Respectfully submitted,

MARRIOTT INTERNATIONAL, INC.

By its attorney,

/s/ Kevin B. Callanan  
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Respectfully submitted,

JOHN BENSON

By his attorney,

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